IN THE HIGH COURT OF UTTARANCHAL AT

NAINITAL

Writ Petition No. 1574 (S/S) of 2005

Rajendra Kumar Sharma,
Aged about 49 years son of Sri R.B. Sharma,
Resident of Jal Nigam Colony,
Near Jain Mandir Lalta Reo Pull,
Haridwar. …….Petitioner.

Versus

1. Uttaranchal Pey Jal Sansadhan Vikas Evam Nirman Nigam, 11, Mohini Road, Dehradun, through its Managing Director.

2. Managing Director Uttaranchal Pey Jal Sansadhan Vikas Evam Nirman Nigam, 11, Mohini Road, Dehradun

3. Executive Engineer, Construction Division, Uttaranchal Pey Jal Sansadhan Vikas Evam Nirman Nigam, Haridwar.

4. Chief Engineer, Uttaranchal Sansadhan Vikas and Nirman Nigam, Pauri Garhwal.

5. U.P. Jal Nigam 6, Rana Pratap Marg, Lucknow through its Managing Director.

……..Respondents.

Hon'ble M.M.Ghildiyal,J:

Heard Sri Anil Kumar Joshi, learned counsel for the petitioner, Sri V.B.S. Negi, learned counsel for respondents no1 to 4 and Sri Sudhir Singh, learned counsel for respondents no.5.

By means of this writ petition, the petitioner has prayed to issue a writ in the nature of Mandamus commanding the respondents to allocate the petitioner in Uttaranchal Pey Jal Sansadhan Vikas Evam Nirman Nigam with all consequential benefits.

The submission of the petitioner is that he was appointed as Junior Engineer on 11.08.1978 and since then he has served the hill districts of the then State of U.P. till the

]creation of State of Uttaranchal and after the creation of State of Uttaranchal, he is still working in the State of Uttaranchal.

Learned counsel for the petitioner has submitted that the options for the Hill Sub Cadre were never invited from the employees of Construction Division, U.P. Jal Nigam, Haridwar as the District- Haridwar was not considered under Hill Sub Cadre when the options were invited from other districts of Uttaranchal. The petitioner has submitted his option and the same has been forwarded by Executive Engineer to the Chief Engineer (Garhwal) i.e. respondent no. 4 vide letter dated 04.04.2005.

In view of the above, petitioner is directed to make fresh representation raising all his grievances before respondent no.2 within a period of one week from today and respondent no. 2 is directed to take decision on the petitioner's representation within a period of two weeks from the date of receipt of representation. Till the final order is passed on the petitioner's representation by the respondent no.2, petitioner shall not be relieved, in case, he has not already been relieved.

With the direction the writ petition is disposed of. No. order as to costs.

(M.M.Ghildiyal,J.)

October 27, 2005
SkSharma